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TO RUEHKV/AMEMBASSY KYIV IMMEDIATE 8038

INFO NPT COLLECTIVE PRIORITY

RUEHBS/USEU BRUSSELS PRIORITY

RUEHGV/USMISSION GENEVA PRIORITY 4197

RUCNDT/USMISSION USUN NEW YORK PRIORITY 3435

RUEHUNV/USMISSION UNVIE VIENNA PRIORITY 3941

C O N F I D E N T I A L SECTION 01 OF 02 STATE 108096

SIPDIS

UNVIE FOR IAEA

GENEVA FOR CD DELEGATION

USUN FOR FIRST COMMITTEE DELEGATION

E.O. 12958: DECL: 10/08/2018

TAGS: [ENRG](#) [KNNP](#) [MNUC](#) [PARM](#) [PREL](#) [UNGA](#) [NPT](#) [IAEA](#) [UP](#)

SUBJECT: NUCLEAR NONPROLIFERATION TREATY (NPT): DEMARCHE
TO UKRAINE ON ITS DRAFT UN FIRST COMMITTEE RESOLUTION

Classified By: EUR/PRA Anita Friedt - reason 1.4 (b) and (d)

¶1. (U) This is an action request. See paragraph 2.

¶2. (C) ISN Acting Assistant Secretary Patricia Mc너ney called in Ukrainian Embassy officials on October 2 to request that Ukraine not move forward in proposing in the UN First (Disarmament) Committee (UNFC) its draft resolution on the Nonproliferation Treaty (NPT) that it circulated prior to start of the current session of the UNFC. Mc너ney drew on the talking points in paragraph 3. Ukrainian Embassy officials asked few questions and agreed to report the demarche to appropriate officials in Kyiv. We understand that this initiative is being managed from Kyiv, rather than by its delegation to the First Committee. Ambassador Christina Rocca, U.S. Representative to the Geneva Conference on Disarmament, made the points below on September 3 to Vasyl Pokotylo, Deputy Director of the Ukrainian Arms Control Directorate, who was visiting Geneva. Embassy Kyiv is requested to reinforce our message with appropriate host government officials no later than Thursday, October 9. That is the date the U.S. will meet with other P-5 members to encourage them to deliver a similar demarche. The U.S. delegation to the UNFC has been told that Ukraine has decided not to propose a separate draft resolution on negative security assurances. Embassy is also requested to confirm that understanding. Points below may be provided in the form of a non-paper.

¶3. (C) Talking points for use with appropriate Ukrainian officials:

-- The United States appreciates Ukraine's commitment to ensuring the success of the 2010 Review Conference of the Nuclear Nonproliferation Treaty (NPT RevCon), and Ukrainian Ambassador Yelchenko's service as chair of the 2008 meetings of the RevCon's Preparatory Committee (PrepCom).

-- We share this commitment to the success of the RevCon and look forward to continuing our work with Ukraine within the PrepCom to ensure a positive outcome to the review cycle.

-- However, we cannot support the draft UNGA resolution that Ukraine has circulated on the NPT review process and request that you not move ahead to propose it.

-- Traditionally, only one UNGA resolution focusing on the NPT has been adopted during each five-year NPT review cycle, and that was a procedural resolution, the sole purpose of which is formally to request that the Secretary-General provide services to the RevCon and PrepComs. Such a resolution was adopted in 2006.

-- Ukraine's draft resolution gives substantive recommendations to the third NPT PrepCom. We cannot support this approach because not all UNGA members are parties to the NPT, and we feel strongly that only parties to a treaty should address its implementation.

-- While Ukraine's current draft has some helpful suggestions for the NPT, the United States is also concerned that, if Ukraine's resolution were adopted it would set a precedent of negotiating on NPT matters outside NPT meetings.

-- This would result in the emergence of a new and inappropriate forum for negotiation on NPT matters and result in potentially difficult negotiations in New York that might even undermine Treaty Parties ability to reach consensus at NPT meetings.

-- The United States remains opposed to raising the NPT in the UN in this way and urges Ukraine not to introduce this draft resolution.

-- We are prepared to work closely with Ukraine on language on NPT matters that could serve as the basis for recommendations by the 2009 PrepCom to the 2010 RevCon, but do not wish to do so in the form of a First Committee resolution.

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-- Finally, we understand that Ukraine does not now intend to propose a First Committee resolution on negative security assurances. Can you confirm that understanding?

End talking points.
RICE